



City of Emeryville

CALIFORNIA

MEMORANDUM

DATE: October 1, 2019
TO: Christine Daniel, City Manager
FROM: Christine Daniel, Public Works Director
SUBJECT: **Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Enter Into A First Amendment To The Professional Services Agreement With Noble Consultants, Inc., For An Amount Of \$32,620 For A Total Amount Not To Exceed \$122,655 For Additional Engineering Design And Regulatory Permitting Services For Point Emery Shoreline Protection Project, EPW 101-18 (CIP #16243031)**

RECOMMENDATION

Staff recommends that the City Council of the City of Emeryville adopt the above referenced resolution.

BACKGROUND

The Point Emery Shoreline Protection Project is a Capital Improvement Program project, EPW 101-18 (CIP #16243031), with the purpose of maintaining and preserving existing park land in danger of erosion from tidal and wave action. The shoreline of the peninsula is currently not protected from wave action along portions of the northern shore and the westerly part of the south shore. The easterly part of the northern shore as well as the shoreline south of the peninsula is protected with rip-rap (large diameter rubble, stones, and boulders). The unprotected portions of the point are experiencing erosion which will eventually lead to loss of park land.

On July 24, 2018 City Council Adopted Resolution No. 18-102 to authorize the City Manager to enter into a Professional Services Agreement with Noble Consultants to provide investigative and engineering design services and to assist in obtaining required permits for the necessary improvements for the amount of \$90,035.

DISCUSSION

Under the original agreement, Noble provided a topographic survey, geotechnical engineering investigation (soil borings and report), detailed engineering design (plans, specifications and estimates) and required regulatory permit services (for example, the SF Bay Conservation and Development Commission (BCDC), the US Army Corps of Engineers (USACE), and the SF Bay Regional Water Quality Control Board (RWQCB)) to enable for the shoreline protection.

During design development and regulatory agency permit review it became apparent that the project would fall under BCDC's major project permit review process and would

generally require more study and design effort than initially contemplated in Noble Consultants' original contract scope.

BCDC's initial review of the project permit application revealed the need to further document the Alameda County Department of Environmental Health's regulation of Point Emery as a landfill and to clarify its permitting needs and associated approvals from the California Department of Toxic Substances Control, as well as the need to obtain project concurrence with the East Bay Regional Park District relating to its ownership of the western tip of Point Emery.

Among the additional tasks that Noble will perform are review, research, response and plan changes related to BCDC, USACE and RWQCB comments and coordination with City staff on obtaining East Bay Regional Park District, Alameda County Department of Environmental Health and the California Department of Toxic Substances review and approval.

FISCAL IMPACT

The First Amendment to the Noble Agreement for the amount of \$32,620 includes a \$7,500 contingency amount for unforeseeable additional work necessary to deliver the design and permitting for the project. The Agreement total not to exceed amount of \$122,655 will be funded from the \$345,000 Capital Improvement Program project budget.

STAFF COMMUNICATION WITH THE PUBLIC

N/A.

CONCLUSION

Staff concludes that it is in the public's interest for City Council to adopt the above stated resolution.

PREPARED BY: Michael Roberts, Senior Civil Engineer, Public Works

APPROVED AND FORWARDED TO THE CITY COUNCIL OF THE CITY OF EMERYVILLE:



Christine Daniel, City Manager

ATTACHMENTS

- Initial Professional Services Agreement
- Draft Resolution
- Exhibit A – Noble Consultants Inc. First Amendment and Original Agreement
- Exhibit A-R1 – Amended Scope of Work